msiness. Mr. FULLER—I can only answer that trees in such

Mr. Fuller-I can only answer that trees in such rich, mucky soil grow wood fast, and make good nursery trees to sell, but not to bear fruit. They are spongy, and the wood is not solid, nor as heavy as trees grown in harder soil. I would dose the land around this tree with lime, salt, ashes, and bones, and grow something to make the soil poorer, or change its mucky nature.

Solos Robissos—In this Syracuse letter above quoted, the following question is asked: Will it pay to apply the mixture of lime, slacked with water saturated with salt, to wheat, oats, barley and grass, grown on clay, on clayey loam, or sandy loam—to land somewhat severely cropped, cold and wet. How much to the acre, and where is it best to apply it? As a general rule it will not pay to apply anything but draining to land that is "cold and wet," but the mixture will do it good. Ten bushels as a Spring dressing per acre, con-

land that is "cold and wet," but the mixture will do it good. Ten bushels as a Spring dressing per acre, continued as long as beneficial, is my recommendation.

Here is an extract from another letter:

Thistles and Daisses.—"An Old Farmer" thinks that if those who are troubled with Canada thistles will cut them in the new of the moon in June, they will bleed to death. On the contrary, so far as the moon is concerned, he would have them cut white daisies in the old of the moon in June, when the sign is in the heart.

is in the heart.

If we learn nothing else from this, we can see how strongly the moon influence affects the minds of many people, for, I assure you, this man is not a solitary in-

Mr. Fuller-If these thistles are cut so as never to

Mr. Fuller—If these thistles are cut so as never to show a green leaf for three years, without regard to the moon, I think it will kill them; but no single cutting will do it.

New Seedling Potatoes.—Solon Robinson read a letter from D. Edwards of Little Genesee, N. Y., describing a new seedling potato that has grown free from disease for several years, and are much esteemed.

Mr. Robinson distributed some of these potatoes some weeks since to members of the Club. They are called Alleghany potatoes.

Marren Grape Vine.—Philo Barnes of Marion, he don't say what State, says he has a grape-vine that blossoms every year, but bears no fruit, and wants to know what to do with it.

I answer. Prune it and feed it with bones. Bury around its roots all the bones now wasted about the house. The dissolved ones out of the soap-kettle will be first-rate.

house. The dissolved ones out of the soap-kettle will be first-rate.

A Fruitful Vine.—Mr. Provost exhibited a vine.

A Fruitful Vine.—Mr. Provost exhibited a vine ten feet long with 70 bunches of grapes. He said, I manure high every year, and then put a coat of sand over that. I don't know of any remedy for the barren grape-vine mentioned by Mr. Robinson.

Mr. Burges—I would recommend him to shake the branch of another vine in flower over the barren one.

Stiff Clay Soil—How to Ameliorate it.—Solon Robinson read a letter from Charles M. Walker, of Lapeer, Mich., who says:

INSON read a letter from Charles M. Walker, of Lapeer, Mich., who says:

"I have for a long time been a close and attentive reader of the debates in your Farmer's Clab, which excite far more interest among the readers of The Thirtyse throughout the country, than you probably imagine; and I write now to ask for information, which may not only benefit me but others. I have a piece of ground, which I vainly tried to raise crops on last year, consisting of pure yallow clay. This Spring I had it spuded over, the depth of the spade being 12 linders. It contout like lead or putly, turning up in pieces the size and shape of the cut of the spade, and Isemaning just as they fell from it. There does not seem to be the least particle of alluvial or vegetable deposit—as I should call it—with the clay—nothing but pure clay. It has been due up a week, and is as had and unpromising as ever. Now, I wish you to tell me through the Farmer's Club, in the columns of The Tausver, whether an application of ime would be good for it, and if so, how much to, say a half acre, and whether marior stone lime is best. Also, whether the draining would be good for it, and if so, how far b, whether tile draining would be good for it, and if so, how far it the drains should be laid, and how deep."

Tow I will

Also, whether tile draining would be good for it, and if so, how far spart the drains should be laid, and how deep."

Now, I will answer this inquiry in part. I have seen 800 bushels of lime per acre applied to land of just such a character as he describes this, without materially improving its texture. I think the same quantity of coarse sand, or gravel, or coal ashes, would do more good. Swamp muck, or any rich earth, would be beneficial. It is difficult to drain such land, but it can be done with tiles not less than three feet deep, and not over thirty feet apart, and always open at both ends, so as to accrate the earth as well as take off the water. In a stony country, it would pay to dig up a small plot, three feet deep, and bury a course of stones a foot deep at the bottom, mixing ten per cent of any kind of vegetable all through the earth as it was thrown back. It would then be a good soil, and one that would last forever, with fair treatment. I will now read another letter upon the other extreme. A man has a soil that is too rich. Charles Merrill of Malden, Mass., writes as follows:

too rich. Charles Merrill of Malden, Mass., writes as follows:

"I have a garden for vegetables, say 12,000 superficial feet, on which I have applied three cords of tanner's refuse of hair, fleshings, bones and glue stock—perhaps, in all, three time of animal matter; also, 500 bbs, ground bones, 60 bushels sakes, 150 lbs. Peruvian guano, 60 bushels charcoal dust, and the excrements of a family of seven persons, with perhaps four cords of stable manure. Now, this has been applied during the last three vears, and my garden is almost berren. The dust the vegetables are stunted and valueless on the bound of the contract bushess of the contract bushess of the performance of the contract bushess of the contract bus

hausted this manure heap.

Mr. Fuller—A man near me, in Brooklyn, dosed his garden to death in a similar manner. His grapevines grew twenty feet in a season, but he could get no fruit. His strawberries were all leaves and vines, but no berries. A farmer who kept a lot of cows filled his land so full of their manure that it was worthless.

Latitude him to anyly line, and it brought it shout. The reports on Foreign Missions, Publication, and Education, in connection with the discourse of the evening, made yesterday a very interesting day, and showed the signs of vigorous denominational file in happy combinations with true Christian Cathelicity.

I have been strolling about this town, and am most agreeably disappointed. The rather shabby appear-I advised him to apply lime, and it brought it about Mr. PELL-I am yet to see ground too rich. I once

Mr. Pell.—I am yet to see ground too rich. I once manured a piece till I could grow nothing—from wheat to buckwheat. I then drained the land, and sowed oats and got 60 bushels, and since, without manure, got good crops. There was a poison in the soil that killed the crops. Draining carried off the poison.

Prof. Nash—I think that 50 loads of sand added to this Malden garden, and plowed shallow the first year, will cure the difficulty. So will planting corn a year or two, probably. I do not think the land in Malden absolutely needs drainage.

Mr. Pell.—I have never seen a piece of land that would not be benefitted by draining.

Dr. TRIMBLE suggests plowing that land deeper than ever before.

Mr. Van Houton-I know a very fruitful apple-tree Mr. Van Houton—I know a very fruitful apple-tree in an old grave-yard, while an orehard alongside fails. Another apple-tree, manured by a hen-roost, bears abundantly. A pear-tree, excessively manured by night-soil, is now full of fruit. So is a tree standing in the richest spot I have on my farm. I take particular care of my trees, in enriching the land, and such make rapid growth and bear fruit, while trees upon peor ground will not produce fruit for use.

Mr. Fuller—I did not advocate cullivating trees on very poor land. I only object to over-feeding.

The Elements of Trees, and how to make healthy Orchards.—From a lengthy letter from L. M. Parsons, of Wankau, Wis., read by Solon Robinson, we make the following extract upon the benefit of shade and snow in producing the elements of trees, and particularly in keeping a young orchard in a healthy condition:

"Walkau, Wis., April 17, 1839.

the following extract upon the benedit of shade and show in producing the elements of trees, and particularly in keeping a young orchard in a healthy condition:

"Hence the virtue of perennial life is due to processes which can only be carried on in conditions which exchade the light, lace that of snow, rubbish or shade. Indeed, the tannin increment is almost limited to snow clad districts; and perennials are the most abundantly supplied with it where the concealment of snow in Winter is continued through the Summer by the agency of most leaves and shade. Hence it would seem, that to perpetuate an old orchard, it should either be supplied with the percurial increment is solution, or that the ground should be so concealed from light as to secure a perpetual elaboration of that element.

"This view is supported by the dwarfed appearance of perennial plants throughout the prairie region of the West, where Autumnal fires, from time unmeasured, have robbed the soil of eventual plants throughout the prairie region of the West, where Autumnal fires, from time unmeasured, have robbed the soil of eventual plants throughout the prairie region of the west, where Autumnal fires, from time unmeasured, have robbed the soil of eventual plants throughout the prairie region of the West, where Autumnal fires, from time unmeasured, have robbed the soil of eventual gastation to the short period of shade afforded by cered plants, and the quantity of perennial food to the simple want of cered plants, wherewith to embalm their seeds. Hence young orchards, on our fichest cereal soils, like our scattered forest trees, are weak in fiber, false in heart, and early show the marks of dotage, and on which the undying paradic makes his presemption before his time. Nothing is more fatal to prairie orchards than open entiture, of his in marks of dotage, and in which the undying the marks of otage, and even the single state, becomes exhausted by open entiture, noted from the region of the trees, so that in the run of time the soil of Eastern or

while trees near by, treated in the usual way of open enlare, have not over one-third the growth, and alresdy show the mark of dotage, the yellow bat, and the worm of time."

Mineral Manures.—The Chairman read a lengthy and interesting paper upon this question, which he had prepared when it was up for discussion some weeks ago. We note a few of the points as follows:

"With mineral manures, such as lime, sait, phosphate, the farmer can change the character of his soil, and should do so with these and saimal manures, to suit the crop that he desires to produce. On soils abounding in lime couch grass is rarely seen. The water-cress in streams indicates lime in the banks. We must fit our crops to the soil, or change the character of the soil to suit the crop. Draining is one of the best methods of ameliorating the condition of the soil. Next is the subsoil plow. All plants exhibit silicates, which have been taken up through the roots. If the

proper food of plants is in the soil, the plants will convert it to their use. Carbonate of potaeli and carbonate of soda, in weak solution, are admirable for the growth of strawberries, raspberries, and grapes.

"Potash is advantageous to nearly all plants. Sall ammonie and niter, and epoon saits, are all valuable for plants, but are too costly to use except in small gardens. Sulplate of lime, planter) is valuable, and should be sown upon the growing plants. Nitrate of soda, at the rate of 150 lbs. per acre, increased the turnip crop five tuns. A farmer should never depend upon a single substance for manure. The more mixed his manures are the better.

inpon a single substance for manufactures are the better.

"Ashes sometimes take fire spontaneously, and great care should be taken about stowing them in the control of th

great care should be taken about stowing them in farm buildings. Bone earth is a necessity in the growth of all cereals, and many fruits, and exists in nearly all seds unless exhausted by long cultivation.

"Lime is always beneficial to land full of vegetable matter. The quantity is to be varied according to the condition of the soil. One with much vegetable matter in it, will bear much more than a soil almost destitute. Shell lime is the best kind for our soil. The slag of iron furnaces, reduced to powder, would be a valuable fortilizer. It contains silicate of lime. A gentleman on the Mississippi River wrote me that his fruit trees grew rapidly, but produced no fruit. His soil had no lime. He applied a dressing of it and his trees immediately became fruitful."

Nexons Weeds.—This was the regular question of the day, but was postponed for want of time, and will

the day, but was postponed for want of time, and will be taken up at the next meeting. Mr. FULLER, however, made an interesting exhibition of plants noxious to the farmer, and gave a short explanation of their charac-The meeting was well attended, and was very

BROOKLAN COMMON COUNCIL. The Board met last night, Mr. Kathringsch in the

mittee reported in favor of granting petition of E. B. Litchfield for permission to lay rails in Atlantic street from the Ferry to South street. Laid over for two

weeks.

The Wallabout Marsh.—Mr. Davior offered the following preamble and resolutions:

Wheren. The convenience of the people in the Eastern and Western Districts of this city will be promoted by a more direct communication than now exists: and wherens, the continuation of Clinton and Washington avenues, from Flashing avenue to Breadway, in the Eastern District, will furnish the means of direct communication, and also add to the health and improvement of that part of the city, which now consists of a pertilential massh, and also furnish an estensive water from for the landing of merchandise to and from other places; therefore.

Resolved, Than a Special Committee of three be appointed with power to negotiate with the United States Government respecting the opening of an avenue from Flushing avenue through the lands of the United States, and that all necessary expense of said Committee be paid by the proper officers.

Constable of the Seventeenth Ward.—Patrick Conlan was appointed Constable of this Ward in place of Frederick A. Parsons, who failed to qualify.

Fourth of July.—A Committee of Five was appointed to make necessary arrangements for celebrating the Fourth of July.

Washington Park.—A Committee of Three was appointed to take charge of Washington Park, and to erect a flag-staff with money heretofore appropriated. The Wallabout Marsh .- Mr. DATTON offered the

THE NEW SCHOOL GENERAL ASSEMBLY.

DR. MILLS ON EDUCATION-WILMINGTON, AND FACTS ABOUT THE STATE.

Correspondence of The N. Y. Tribune.

WILMINGTON, Del., May 21, 1859.

The discourse of Dr. Thornton A. Mills, on Education for the Ministry, last evening, was delivered without notes, and was very powerful. Notwithstanding the rain, a large audience was in attendance. Indeed, these Wilmington people are full of life, if their spirit in making arrangements for the Assembly is to be taken as any evidence. All the Presbyterian pasters here are young men, and their efforts are thoroughly seconded by their enterprising congregations. Both

seconded by their enterprising congregations. Both the New-School ministers (Messrs, Wiswell and Ackerman) are from the North, and are spoken of in the the town, by all classes, in terms of admiration.

Dr. Mills discoursed an hour on the relations of the ministry. He showed the origin of the ministry to be the purpose of God to save a lost world, and that hence the ministry should be regarded as first in the order of arrangements made by the Church. Home and Foreign missions draw their life from this source; and the Church should see to it above all things that her own lively and vigorous piety shall have an outgrowth in the form of an adequate ministry. This ought to be first in the affections of Christian people, so that every pious household, every church, and session and Presbytery, shall be at this work. In this way the ministry is a natural and healthy growth and not a manufacture. In the course of his remarks the Doctor showed the two facts that many churches have no minister, and many ministers have no charges. The latter are secularized, and we have this singular incongruity, showing that a mistake has been made on one hand or the other, viz: that there are many churches which the ministers will not have, and many ministers whom the churches will not have. He entreated the Assembly to use its influence against the introduction of any men into the ministry who are doubtful men in any respect.

any nen into the ministry who are doubtful men in any respect.

I am given only part of the points of this great dis-course, but sufficient to show how Dr. Mills is acting on this church in the development of his grand idea of producing an adequate and well-trained (in heart and mind) ministry. The reports on Foreign Missions, Publication, and Education, in connection with the dis-course of the evening, made yesterday a very inter-esting day, and showed the signs of vigorous denomi-tation of the in harmy combinations with true Christian

Cathelicity.

I have been strolling about this town, and am most agreeably disappointed. The rather shabby appearance of the town as you enter it by the railway disappears as you ascend the hill on which the main portions are built. The ground rises very gracefully from one plateau to another, giving facilities for enlargement to any extent. The gasworks in this town are among the oldest in this country, having been in operation before Philadelphia enjoye! the luxury. The water taken from the Brandy wine above tide-water is delicious. From the Reservoir, in the center of the town, the prospect is beautiful in every direction. Across the Brandywine, one of the most noticeable objects is a comely Episcopal church, mainly built by the liberality of the late Alexis Dupout, who was killed by an explosion of gurpowder. He is epoken of with great esteem. In the days of Henry Clay he was an enthusiastic politician, but during his later life, as enthusiastic in religion. Speaking of him reminds me of going to the scene of the most fearful guspowder explosion that ever took place in this country, in which Bishop Lee's house was demolished. Three Canestoga wagons, drawn by six horses each, and loaded with 11,000 pounds of powder, two or three years ago, were descending the hill in front of the Bishop's house. Bishop Lee's house was demolished. Three Canestoga wagons, drawn by six horses each, and loaded with 11,000 pounds of powder, two or three years ago, were descending the hill in front of the Biskep's house, when, in the twinkling of an eye, that whole mass of powder exploded with a noise which was heard more than forty miles. One gentleman, who lives near the scene, told me that he had left the place only a short time previous, but no language could describe the scene which met his eye on his return—the Bishop's house tumbling, two barns demolished, the houses in the vicinity shattered, the fences gone, the horses forn in pieces and scattered about, two shockingly mangled cotyses, persons bleeding, but not dead, the trees torn and wrenched—these and other things made the scene most horrible. One evidence of the most extraordinary power was, that the ground under one wagon was compressed instartaneously with such almost inconceivable power as to sink the hard street sufficiently to break the large water-pipe running un-

scene most horrible. One evidence of the most extraordinary power was, that the ground under one wagon was compressed instartaneously with such almost inconceivable power as to sink the hard street sufficiently to break the large water-pipe running under it. The depression was so large as to require several cart-loads of dirt to fill it. In one of the neighboring houses was a tight closet, and the shock opened the boards of as to let some clothes hanging on the outside be engilt in the crack as it closed again. The Messrs. Dupont acted most honorably in the matter, appointed a gentleman, in whom all placed confidence, to ascertain the damage done, and they settled the accounts, amounting, as it is said, to more than \$20,000. The situation of things in this State is very curious as relates to those reforms, which are going on at the North. As you are aware, Delaware has three counties, Newcastle, Kent and Sussex. The first, in which is Wilmington, is nearly equal to the other two combined; but by the Constitution the three counties are entitled to an equal representation in the Legislature. Newcastle is Free-Soil in its opinions and manners, and the slave system has its stronghold in Kent and Sussex, and by reason of the fact before alinded to, no Legislature can now be elected to extirpate this most unprofitable system from the State. I am told that could a fair vote be taken to-day, a large majority of the people would vote against Slavery, but they have no chance to do so on secount of the provision alluded to in the Constitution. This also is the cause of the junction and the state is a pity! The people in this section fairly writhe under the disgrace of the arrangement, but have only little hope of a change for the better. Here in this beautiful and thriving town one does not suspect himself to be in a Slave State. If the other counties would imitate Newenstle, it would increase the value of property in the State by many millions of dollars within ten years.

There is enough of the lottery business to corru There is enough of the lottery business to corrupt all who have wrong leanings, and at the same time enough of Slavery to cripple the producing energies of free soil, and not enough of it to make it profitable, as in the more southerly States. Let us hope Delaware will see her way out of the dilemma.

SATERIAY MORNING, May 21.

The morning prayer-meeting, which was continued for an hour, was one of extraordinary interest. It was

baracterized the services of yesterday morning. No

conducted with the freedom from all restraint that characterized the services of yesterday morning. No one had the bad taste or spirit to make a long prayer er exheritation. The latter exercise is mostly made up of facts drawn from the recent revivals in the churches. The minutes of last meeting were read and approved. The Rev. Dr. Thurston, the Delegate from the General Conference of Mame, was heard at some length. He first described the church polity of that body, and gave many interesting details. There have not been many extensive revivals during the year, but many have been converted.

The Maine Missionary Society is a favorite among our churches. It has fostered about 200 of the 240 churches in our body. Emigration is affecting our churches unfavorably. Modern Spiritualism has done not a little damage, also, by unsettling the faith of many persons. As to the Maine law, the Dector said it was not a failure, as is alleged by some politicians. The law has not put away intemperance entirely, but it has given it a great check. The Doctor's report in this respect was very hopeful. He spoke of the gratification of the churches at the high ground taken by this Assembly in reference to that great Bastile of human oppression, American Slavery. The Doctor did not refer to the differences existing between the Congregationalists and Presbyterians in reference to Foreign and Home Missions.

An overture from the Free Synod of the Presbyterian Church was referred to a Special Committee, consisting of the Rev. Drs. Stearns, Gridley and Kendall, and the Rev. Mr. Eck. and Messes, Griffith, Hall and Hazcall.

The Rev. Dr. Gridley, Chairman of Good of the Presbyter for the Rev. Drs. Gridley, Chairman of Good of the Presbyter.

and the Rev. Mr. Eels, and Messes, Griffith, Hall and Hazcall.

The Rev. Dr. Gridley, Chairman of a Committee, appointed by the last Assembly, to draft a formula for the admission of persons into the church, reported. The report was accepted and referred to the Committee on the Polity of the Church.

The Rev. Dr. McLean read the annual report of the Permanent Church Extension Committee, which has in charge the great Church Building fund. This fund new amounts to \$107,685, and none of it has been lost in the late panic. The number of churches aided the last three years has been as follows, viz: 119, and the amount disbursed \$13,118. The number of churches last year aided is thirty-seven, and the amount disbursed \$13,250. The report speaks hopefully of the influence of the fund in developing the energy of many churches, and securing much church property free from debt. The amount thus secured is more than \$300,600, and all this free from incumbrance.

The Report of the Treasurer of the Fund was read by Walter S. Griffith, esq.

The last General Assembly referred several questions to the Church Extension Committee. Among these are two papers from the Presbytery of Harmony, and one from the Rev. Dr. A. H. H. Boyd in behalf of the Secoding Southern Presbyteries, asking for a division of the property of the Church. The answershows that the Secoders have forfeited their rights in the fund, and that it would be a breach of trust to grant the petition of the paper in question. The Committee recommend that the petitions be answered in

and the petition of the paper in question. The Com-

inthe regative.

The same Committee reported an answer to the overture from the Synod of Iows, that the rules of the fund be so changed as that help may be granted to aid in building churches in hopeful situations, but where no churches are yet organized. The overture was answered in the negative.

These reports were all accepted and referred to the standing Committee on Church Extension.

Standing Committee on Church Extension.

The Rev. Dr. Stearns read the report of the Committee of Conference with the American Home Missionary Society. The Committee report that they have been mable to obtain much definite information. They been unable to obtain much definite information. They are able to state that our churches receive 17 per cent of the funds, and that 28 per cent of the churches aided belong to us. What we have contributed is less than it ought to be. The per cent of funds disbursed to us and the churches aided is diminishing. The report speaks kindly of the past history of the society, and the war we passed through for the sake of that society. It also shows that separation cannot take place without pain. The report says the time has come to secure some proper adjustments of our difficulties with that society, or to have a separation in good spirit and on right principles.

The report was accepted and referred to the Church Extension Committee.

The report was accepted and referred to the Church Extension Committee.

A letter from the Rev. Dr. Cox, Chancellor of Ingham University of LeRoy, New-York, was read by the Clerk, and referred to the Committee on Education.

A. P. Halsey, esq., Treasurer, and the Rev. Dr. Hatfield, were appointed a Committee to look after the business pertaining to a legacy to the Assembly from the late Assembly adjourned to Monday morning at 81 victors.

CITY ITEMS.

SOLDIERS FOR UTAH .- Last evening, 110 recruits, from Governor's Island, left Jersey City by the New-York and Eric Railroad, en route for Utah. The officers were: Major Bossell in command, Capt. Dunovant, Lieut. C. H. Ingraham, Lieut. A. B. Carey, Lieut. B. M. Thomas and Lieut. O. P. Gooding.

THE HEART OF THE ANDES .- The crowd of persons who had neglected to see Mr. Church's great picture until the last day of the exhibition, or who wished to take one more look at it, filled the exhibition room of the Studio Building yesterday. Some who went early in the morning found it impossible to get a glimpse of the painting, and others waited for hours before they could obtain a satisfactory view. The settees, upon which the spectators have been accommodated during the past month, had been removed, and the standing space thus left was during a large part of the day, entirely occupied. A number of ladies found it so difficult to leave the room that they staid until Mr. Church and his workmen had removed the painting from its frame, and only the black walnut remained in sight. It seems a pity that the picture should leave us before every lover of art or of nature had seen it.

THE MYSTERIOUS DISCOVERY OF HUMAN RE MAINS .- The Coroner on Monday caused the sink at No. 125 Columbia street, in which portions of the mutilated remains of a female were found, to be thoroughly examined, when the body of a prematurely-born infant was discovered. This circumstance goes to confirm the theory that the woman was the subject of an abortionist, who, to conceal her death, mutilated her body and disposed of it in parts. The head, feet and some other portions of the body are still missing. Coroner Jackman held an inquest upon the body of the child, but whether its death was the result of violence or natural causes could not be a scertained, and the Jury rendered a verdict to that effect. Yesterday morning a mar, recently returned from California, called at the Eleventh Precinct Station to obtain particulars of the deceased. He stated that his wife, who was about 19 years of age, had left Philadelphia and come to this city in the company of a Polander, and had lodged in Cherry street. They had since disappeared, and he was of opinion that she had been murdered by her paramour, to hide all knowledge of the affair. This does not, however, appear plausible, death being evidently the result of an abortion rudely produced. One morning last week a girl of 14, residing in Mott street, attended a little child to school, and has not been seen or heard from since. She was said to have been large of her age, precocious in physical development, but, so far as known, strictly exemplary in her conduct. It is hardly plausible to suppose that either of these females was the deceased.

ORFREN ASYLUM. -" The Orphan Asylum Society in the City of New-York" will hold its Fifty-Third Anniversary to-day, at 12 o clock, m., at the Institution Bloomingdale, on Eleventh avenue, near Seventy fourth street. The Rev. Dr. Lathrop will deliver at address. The children will take part as usual in the exercises. Stages will be running every ten minutes from 10 to 12 o'clock, starting from the corner of Broadway and Thirty-second street, and will be in readiness to return after the meeting. At the close of the meeting there will be an election of Trustees for the ensuing year. Should the weather be unfavorable, the Exhibition will be postponed to the first clear day Subscriptions become due at that time.

The Rev. Mr. Bird, an English Wesleyan clergy man, for many years resident at Port-au-Prince, Hayti, will lecture in the Rev. Mr. Ray's Church, in Sullivan street, near Houston, to-morrow evening, on the History, Resources, Character, and Present Prospects of Hayti and its People. Mr. Bird's perfect acquaintance with the subject will render the lecture highly interesting and instructive.

MELANCHOLY OCCURRENCE. - Coroner Jackman yesterday held an inquest, at No. 125 Suffolk street, upon the bedy of Mrs. Martha Whikehart, whose death was the result of burns, as briefly reported in | night, Wm, R. Canfield and George Lowe quarreled

room on one of the upper floors—her husband being mirg away, and committed by Justice Kelly to absent at the time. The habe being restless, she arose answer. Mrs. Whikehart with a young child was in her bedto strike a light, and while in the act of filling the fluid amp, it exploied, and set fire to her clothes. Thinkng to exting the the flames without alarming the other inmates of the house, Mrs. Whikehart rolled on the floor. The poise thus caused awoke Mrs. Williams, then askeep below, who leaped from bed, and opened the door leading into the ball. At that moment Mrs-Whikehart came ruzning down stairs with her clothes all in a blaze, and, frantic with fright and pain, reshed through the open door, exclaiming, "Mrs. Williams, "for God's sake, do something for me" Mr. Williams leaped out of bed, and, seizing a quilt, threw it over the poor woman, who then ran to the outer door, and, when about to go into the street, sank to the floor from exhaustion. The fire was then extinguished, but not till she was terribly burned all ever her body. Temporary aid was afforded by the attending physicians, but the unfortunate woman expired twelve hours after the occurrence. The Jury rendered a verdict of "Accidental death." The deceased was 26 years of age, and a native of New-York. Mr. Williams had his hands severely burned in attempting to save the life of his neighbor.

THE LATE ATTEMPT TO ROS THE MAILS. J. Edwin Jackson, the man who attempted to rob Adam Peck, the mail agent, last week, is in the custody of the United States Marshal, who holds him under a warrant issued by United States Com-missioner Morton. It was expected that Mr. Peck would have arrived here from Cincinnati last evening, but information was received at the United States District-Attorney's office yesterday that he was ill, and would not be here till this evening.

CHARGE OF ROBBERY-AN ALLEGED ATTEMPT AT BLACKMAILING AND COMMITMENT FOR PERJURY .-Two Jews, named Samuel Preiss and Phillip Moses, living respectively at Nos. 211 and 203 Division street, and both natives of Poland, came before the Mayor on Saturday last and made a complaint charging Mr. Wm. Meyer, a respectable wholesale merchant tailor, doing business at No. 554 Broadway, with inveigling one of them, Preiss, into a dark room in the rear of the premises, on the day previous (Friday), on the pretense of having something important to tell him, and afterwards knocking him down and taking possession of his watch, worth \$25, while he was in a senseless condition. The Mayor sent the papers to Justice Welsh, before whom an examination took place yes-terday, Meyers having been arrested. Philip Moses was sworn, and testified that he saw Officer Cholwell of the Eighth Precinct bring his friend Preiss out of a pawnbreker's shop at No. 83 Canal street, and Meyers following, kicking and striking the prisoner no less than twenty times, on the way through Division and Chatham streets to Chambers street. The cause of this cruel treatment. Preiss said, was the assumption that he had pawned several coats at that shop, which had been given him to make.
Officers Cholwell and Keys were present at the ex-

amination, and testified that not a single blow was struck by Meyers at the time referred to.

Priess and Moses, who at this stage manifested considerable uneasiness, and a desire to have the case dismissed, were then arraigned for perjury, with the intention of extorting money.

Mr. Meyers was placed upon the stand, and testified that some time since he had given Priess two coatt to make, and that he (Preiss) had pawned them as No. 83 Canal street; that he met Preiss in Broadway, on Friday, called him into his office, went with him to the pawnbroker's shop referred to, and thence to Messrs. Jennings & Wheeler's establishment in Chambers street, where the coats were found with a bill of \$12 36 pawnbrokers dues upon them, and that the watch was voluntarily left as compensation. Mr. Meyers also testified that he never struck Preiss.

Both Preiss and Moses were then placed in charge of an officer, and, in default of \$1,000 bail each, were committed to the City Prison for trial on the charge of perjury.

Mesars. Breusing & Co., No. 701 Broadway, have published a nice edition of the words (Italian and English) of the opera, "The Martyrs," to be played for the first time in this city to-morrow night at the Academy.

ATTEMPTED BURGLARY .- Wm. H. Kimball, who is said to have been a Sabbath-School teacher recently in Trinity Church, was taken before Justice Quackenbush yesterday, charged by William L. Wilson, a student in the Theological Seminary in Ninth avenue, with attempted burglary. It appears that on Saturday night he went to Wilson's room, and knocked at the door. Mr. Wilson, who was within, did not make any answer, when the person, inserting a key in the k, unlocked the door, and entered. Wilson immediately collared him, when he said that he wished to see Prefessor Firch. The janitor was called, and he and Wilsen took the stranger toward the Professor's room: but in going thither, the fellow broke away and ran into the street, where, after a sharp chase, he was recaptured. Some skeleton keys being found upon his person, he was committed in default of \$500 Kimball is about 2? years of age, and is said to have been on visiting terms with the professors. Since he has been in the habit of going to the Seminary many articles have been missed from the rooms the students. The accused is a native of Providence, Rhode Island.

A BOLD BURGLAR. - The residence of Officer Weith, No. 276 Tenth street, was entered vesterday afternoon by a one-eyed youth, who lays claim to the cog-nomen of John Smith. The officer happened to be at ome, asleep, off duty, smelt thief, and awoke just in time to apprehead the vagabond as he was leaving the premises. Upon taking him to the Seventeenth Ward Station-House, he was identified by Mrs. Doro-thea Demmorley, of No. 508 Fourth street, as the individual who had entered her dwelling by means of false keys, half an hour before, and carried off her husband's silver watch and Sunday coat. The watch and two skeleton keys were found upon the prisoner. Justice Steers committed him for trial.

AN ANCIENT PICKFOCKET.-As Mrs. Cordelia Haden and her daughter, were entering one of the stages at the Fulton ferry, yesterday afternoon, an elderly man officiously assisted her up the steps. In doing so he managed to abstract her pocket book containing twenty-seven cents. She discovered the theft imme diately and gave the alarm, when the man ran off up South street. Officer Perkins, of the Second Ward, followed, and after a smart chase, overtook him, when he politely handed him the stolen property. He was ide stified by the police as Edward Rice, alias James Burns, a convict, 56 years of age, who had recently been discharged from the Baltimore prison. Justice Welsh committed him for trial.

ALLEGED DISHONESTY OF A CLERK .- A young man named George H. Schmidt, formerly a clerk in the office of Daniel E. Sickles, but recently in the service of Mr. Parmaley, merchant, at the corner of Broadway and Worth street, was arrested on Monday morning, for illogally retaining \$100 belonging to his employer. He had been sent to a John-street firm to pay a note of that amount, and did not return. Inquiry being made, it was ascertained that the accused had failed to pay the note, and had removed from his former residence to various places, to clude his em-ployer. Justice Osborne held him for examination.

ALLEGED ISCENDIARISM .- A fire broke out in the stable of P. W. Christie, at the corner of Tenth avenue and Sixty-eighth street, about 2 o'clock on Monday morning, destroying it. The loss was \$200. which was insured in the Greenwich Company. Beniamin Walden was arrested on suspicion of having fired the premises. He was held for examination.

STABBING AFFRAY.-About 12 o'clock on Sunday

yesterday's Thinose. The evidence taken went to in Tenth avenue, near Fifteenth street, when Canfield show that abortly before 3 o clock on Sunday morning stabbed his opponent in the neck, inflicting a danger-ous wound. The assailant was arrested while run-

PEREN BOAT ACCIDENT—INCIVILITY OF THE PRIOT.—The Staten Island ferry boat Sylph, which left Port Richmond at 7 o clock this morning, broke the key of her shaft, or some portion of her machinery, when off Snug Harbor landing, and was totally disabled. As the Red Jacket was then in sight, on her way in the city some of the passengers requested when oil Sang Harbor landing, and was totally disnbled. As the Red Jacket was then in sight, on her
way up to the city, some of the passengers requested
the Collector to signal her in order that they might
come to the City by her. That officer declined to comply with this reasonable request, on the ground that
one of the Ferry Company's own boats would be along
in an hour. The passengers thereupon themselves
signalied the Red Jacket, whose pilot courteously
came along-side and inquired of the Pilot of the Sylph,
Samuel Parker, whether he wanted assistance: but
the latter, well knowing that his passengers were anxious to get up to the City to business at their usual
hour, replied in the negative, and thus compelled them
to wait an hour, slithough they asked to come up on
the Red Jacket, at their own expense. A smaller business, or a more contemptible act of selinsh incivility it
was never our lot to chronicle even of an employee of
the Staten Island Ferry Company.—[Com. Advertiser. the Staten Island Ferry Company .- [Com. Advertiser.

CHARGED WITH STEALING A HORSE.—A butcher named Phillip Root, residing at No. 38 First street, was arrested yesterday on the charge of steading a bone worth \$70. Phillip Nosebaum, the complainant, charged that the animal was taken by the prisoner from his man, John Hoffman, in First arcune. Mr. Root did not dony the charge, but boildy avowed that he rook the borse in bread daylight, because it was his property. He said that the complainant and himself used to be in partnership, and he lets him the horse, but as it was not returned, he took it on the first opportunity. Justice Steers held him in \$500 bail to answer.

BURGLARY IN READE STREET,—On Saturday night the residence of Margaret Kolb, No. 74 Reade street, was entered by two burgiars, named Edward Barnes and Robert Hewitz, who succeeded in abstracting \$439 in money and clothing, having effected an entrance by making a hole through the wall from an adjoining house, No. 78. The burgiars were detected by the police, and taken before Justice Welsh, yesterday morning, who committed them in default of \$500 batl.

Escaped Convict.—Fanny C. Greene, a young woman, committed to the Massachusetts State Prison at Spring field, eleven weeks ago, for grand larceny, and who made her escape two weeks since, in company with another female convict, by getting pous-scion of the lailer's keys, was arrested yesterday, on complaint of John F. Porter, the agent of the Adama Express Company. Telegraphic information had been received by Deputy Superintendent Carpenter that Fanny was on her way to New York, and that she would call for a bundle at the office of the Company above mentioned, Accordingly, Mr. Porter was notified, and the fugitive given into the custody of the Police.

ALLEGED FALSE PRETENCES .- A merchant from All Letter Parts Fratters Es.—A merchant from Sing Sing, named R. Quinby, was brought before Justice Con-nelly yestereay, charged with obtaining \$900 in three promisory notes of \$300 each, from James J. Cheeseman of this city, by faise pretences. The accused stremously denied the charge, al-leging that the complainant owed him over \$4,000. The accused was held to ball in \$2,000, Mr. Cholwell becoming his security, for trial at the General Sessions.

FATAL ACCIPENT .- A child, named Martha Underkent, not quite three years of age, was instantly killed yesterday an room by falling from the fourth story platform of the rear house, at No. 76 Eldridge-st. Coroner Schermer held an inquest.

ALLEGED BURGLARY.—Edward Augustus Jones was arrested on Sunday night, by Officer Riker, charged with breaking into the house of Mrs. Brower, No. 4 Great Jones street, through the rear door, and stealing two valuable rogs. He was WEARY OF A WIFE. -The Harbor Police on Sunday

evering found Catharine Whalen on the ship Neptune, bound for Liverpool, who said that her hasband had forced her or board for the purpose of getting rid of her. Of course the police brought her ashere and set her at liberty. First show a Window.—A child of three years, named Jacob Weber, whose parents reside at No. 206 Fifth street, was killed on Sinday by falling from a second story window to the sidewalk.

Superbly beautiful CARPETS!

tremendous low prices !!

Crossley & Son's gorgeous Medallitoxs.

ENGLISH VELVETS, 9 to 12 per yard.

Real ENGLISH BRUSSELS, 6 to 10 per yard.

All-wool INGRAINS, 5 to 6 per yard.

FloorOILCLOTHS, 2 6 to 6 per yerd.

HIRAM ANDERSON, No. 99 Bowery.

GAS! GAS!-GAS FIXTURES have been produced at the factory of the undersigned which surpass the b ance of the world in beauty and prices. Call at our great Dep-No. 576 Broadway. WARKER, PECK & Co.

Should be the title of the Indian Remedy, known as the produc-tion of Nahmeeninh, aftewards Mrs. M. N. Gardner, called the Indian Baham of Liverwort and Hoarbound. It cures Colds the Coughs, and alleviates all Long Complaints. It is sold everywhere.

Brevity being the soul of wit, WILDE & Co., No. 231 Broadway, would notify the ladies, in five lines, that their Summer stock of Paris Boxners, new French Russons and Flowers, Derss Cars, Straw Goons, &c., is the largest, the most diversified, and the cheapest in New-York.

How to RESTRAIN THE PASSIONS AND CUL-TIVATE THE HIGHER NATURE, and in what pursuit one can make the most of himself, may be learned by a Phrenological Examination at FOWLER & WELLS'S, No. 300 Broadway.

Do Not Disregard Solemn Truths.—The assertion, recently made, that it is dangerous to travel, even in the best of vessels, without a life-preserver, has been abundantly proven by numerons disasters. The traveler, thinking of the old and silly style of ife-preservers, says; "Well, all life-preservers are costly and useless, and I must run my chance." The Delano Life-Preserving Cost and Vest Company, located at No. 236 Life Preserving Cost and ver Company, locates at No. 2 Broadway, upsets by its practice, all such whimsical argument. The Delano invention is certainly the surest and adost LIFE-PRESERVER ever made. It is adapted to all kinds of ordinary garments for men, women and children, and is attached to bathing dresses, assimming jackets, &c. It will soon be upon every occan exement, furry boat, yacht, &c., and upon the person of every watering place habitue.

METALLIC TABLET RAZOR STROP.—This inimtrable article may be obtained of the sole manufacturers, J. SAUNDERS, No. 7 Aster House, and of the various agents thr

LAW INTELLIGENCE.

SUPREME COURT—General Tram—May 23—Before Judges Roosevelt, Davids and Platt.

In re the Estate of Levis Moore, deceased.

This is an appeal from a decree made by the Surrogate in 1935, in the final accounting of Michael F. Moore as administrator of the estate of the testator. The matter has been in litigation since 1946, and was commenced with a petition of certain heirs to the estate, asking that Moore be compelled to pay over to them their purion of the property, which was responded to by the statement on the part of the administrator that he had no power to convert the real estate into money or available means, and that it was for such reason that the accounting to the beits had not been made. The heirs then endeavored to have Moore deprived of all further power as administrator, on the ground that he was unworthy of the trust, but in this they falled. In 1855 Moore rendered a final accounting on the estate, in which there were charges amounting to acceptable the trust of the continuous chains alleged to have been paid by him which the Surrogate did not allow, and the consequence is the present appeal by the administrator to scure himself against alleged personal losses. Declaion reserved. Mr. Buddy for appellant, Mr. Buckley for respondent.

Admissions for the Ear.

Lever Nicoli, L. F. Barvill, and Waldo Hutchina.

Decision reserved. Mr. Bandy for appellant, Mr. Buckley for respondent.

ADMISSIONS TO THE BAR.

Henry Nicoll, J. E. Burrill, and Waldo Hutchins, esqu. the examiners appointed to examine applicants for admission to practice as autorneys and counselors at law made a supplementary report to-day recommending the following gentlemen as duly qualified to enter upon the dutles of the profession: D. Gram Adee, Harvey S. Chatfield, James E. Hadnest, George Marsh, Charles T. Polhamus, Benjin R. Shoop, Affred A. White, Edward J. Mr. Gean, Rebt. W. McClellan, Owen Sover, Edwin G. Thompson.

G. Thompson.

G. Thompson.

CIRCUIT—Before Judge CLERKE.

Sallie Oukley agt. Obadiah Newcomb, jr., et al. executors of Dasdish Newcomb.

This action was against the defendants as executors the scatte of the brother of the plaintiff, on two promisers over for \$250, each made in July, 1835, and secured to the plaintiff at the time the notes were made, by a transfer of five acres of and near Burnalo.

The defense was that the notes were given without consideration, and for the accounted to not him plaintiff as sister of the occased, that the notes amounted to nothing more than a gift which could not be valid in law. The Jury found a verdict for the spaintiff for the full amount, with interest.

SUPREMP COURT-CHAMBERS-MAY 23.

SUPREMP COURT—CHAMBERS—MAY 22.

Before Judge SUPRIBLAYD.

INJUNCTION AGAINST CHRISTY'S MINSTREES.

Henry Wood agt. John N. Harrington.

On Saturday last Judge Sutherland granted an injunction restraining the defendant (who is familiarly known as George Christy) "from playing or performing, or permitting his name as Christy or Harrington, or otherwise, to be used in any public entertainment or piece of amusement at No. 44 Broadway, or at any other place within one handred miles of the City of New York, at any time previous to the first day of November, 1858, by the name of George Christy or otherwise."

Horario N. Wild and Jacob Campbell, ir., became sureties in the undertaking on the injunction in the sum of \$3,000, it is said that there was a contract made between Wood and Caristy, by the terms of which the latter was not to five any performance within one hundred miles of this city before the first day of November uset; and as Mr. Christy advertises to give a performance this (Monday) mind, the plaintiff applied for an injunction. The order to show case will be heard this week.

Before Judge Clerric,—Decision.

Emil Heinemann agt. Killian V. R. Lansing.—Case settled; all the amendments allowed.

General Term.—Before Judges Roorevelt, Davies and Prayr.

Case of lames Glass—Motion to change the venue.

The People, &c., agt. James Glass.

This morning the District-Attorney moved to transfer the indictment in this case to another county, two juries having falled to sarree in this

Ex. Judge Whiting, for the defendant, taked for delay, as the papers were only served on him on Saturday last.

After some discussion, the Gendant, taked for delay, as the papers were only served on him on Saturday last.

After some discussion, the Court ordered the prisoner's connect to show cause on Wednesday morning, why the motion should not be granted.

The People, &c., ser. James Seephens.

THE STEPHENS WIFE-POISONING CASE. The People, &c., art. James Stephens.
The District-Attorney produced an affidavit slawing

that the prisoner's comes had refund to sign a stipulation to arms the cause at the present term, as required by the order silowing a stay of proceedings. He then moved to weath the star of proceedings are noted in the case.

Mr. Asimesal, for the defendant, objected to the form of the stipulation, but offered to stipulate in each form as the Countright require. Mr. Asimesal presented a pedition of the prisoner, alleging distinction of the resent, and praying a certification that the Christopher of the record, and praying a certification of the prisoner in the Christopher of the record, and praying a certification of the prisoner of the countries of the countri

with field, ke.

The District-Atterney made some objections, when, at the sequential of the presiding Justice, the certificati was allowed, without prejudice to either party.

During the argument the prisoner's counsel was proceeding to make some statements outside of the papers, in which he was not recorded by the presiding Justice, who instituted that he must cafful himself to the papers.

The counsel became somewhat samest, and on one constitution of the papers, who instituted that he must cafful himself to the papers.

ustice as "My dest Sir."
Stephens was in Court, and looked extremely well.

SUPREME COURT.

A party relying on his adverse possession of land, without any other title, unless he sets up such possession in his answer, can be ousted by the true owner.

DECISION AT GENERAL TERM OF SUPPLEME COURT AT POLENCIPEM May 14, 1830. Present—The Hon. John A. Lott. Jas. Emott, John W. Brown and Henry E. Davies, Justice.

Lett. Jas. Emott, John W. Brossen and Henry E. Davies, Justices.

Gorden L. Ford art. George L. Sampson.

Briow S., J.—The parties to this action are owners of separate loss of ground adjoining and upon the west side of Columbia street, is the City of Brocklyn, and this action is brought to revover a small gore of land six inches wide in the rear and running out to a point 35 feet carterly from the rear of the lots, and which the plaintiff claims is included within the lines of his lot, and is new in the possession of the defendant. The proof shows that the gore of land in controversy is within the defendant's inclusive such but he lot in the year 1841, and is the commit source of title. He conveyed the plaintiff to do Wildes Thomas Thempson by deed dated. June 21, 1342, who conveyed to Wm. S. Wetmore lowed added Sept. 7, 1935. Will. S. Wetmore conveyed to the plaintiff by deed bearing date April 13. 1855. The title-deeds of the defendant were not produced upon the trial, so that we do not see precisely when he or his granteer mediate or immediate enter into the possession. If the question of adverse possession areas in the case as the counsel for the defendant supposed upon the argument, this fact would have been important; but in the view I shall take of the case it cannot be of any consequence.

of alverse possession areas in the case at the colline to the second proposed upon the argument, this fact would have been important; but in the view I shall take of the case it cannot be of any cot sequence.

The complaint sets out the plaintiff's selezing in fee simple of the entire lot upon the westerly side of Columbia street, describing it by the same meters and bounds as those contained in the several deceds of conveyance to which I have referred, and the alleges that the defendant is in possession of a portion of the lot-level the poor in controversy, which is also described by meter and bounds. It also alleges that possession of the government of the lot-level the defendant and that he refused and still refuses to deliver up the same to the plaintiff.

To these distinct and specific ellegations the defendant answers that he decilies that he was in possession of the promises claimed and described in the compaint. He also denies the demand of the possession, and the unlawful withholding thereof.

The title of the plaintiff is more put in issue by the pleadings for mothing is controvered by the defendant's mover, but the defendant's possession, the plaintiff a demand of the possession, of adverse possession arises in this case, for it was the design of the defendant to put in question the validity and force of the plaintiff a cent to pass the title to the lands in dispute, while a stranger was in possession, claiming the title. He should have framed his answer accordingly, and set up the title in himself or title out of the plaintiff, and thus the title unlawful have framed his answer accordingly, and set up the title in himself or title out of the plaintiff, and thus the title unlawful have framed his answer accordingly, and set up the title in himself or title out of the plaintiff, and thus the title unlawful have been put is issue.

Both the surveyors concur that the plaintiff's deed covers the premises in dispute, and the letter of the plaintiff of the date of the lat July, 1836, and the defendant's reply thereto, prove that the possession was demanded and refused.

M. Judgment should be extered that plaintiff recover from the defendant the premises described in the complaint, with costs.

SUPERIOR COURT-TRIAL TERM.-MAY 23.-Before

SUPERIOR COURT—TRIM. TREM.—MAY 23.—Before Judge Boswoaris.

MARINE INSURANCE.

T. S. Hathaway agt. The Sun Mutual Insurance Company.

This action was brought to recover the value of the brig Branda, lost in the China Seas in 1835, upon which a policy of insurance had been issued by the defendants for \$10,000. Considerable documentary evidence was offered. The question in the case was whether the captain had used proper care to preserve the vessel. The defense set up that the vessel was unseawortly before she started on the voyage, and that the captain knew her to be so. Verdict for plaintiff, for \$14.570.

D. D. Lord for plaintiff; F. B. Cutting and H. B. Fessender

COURT OF COMMON PLEAS.-May 23. This day the Court appointed the Hon. Judge Haton reporter of the Court of Common Pleas, in place of E. D. Smith, esq., resigned.

SURROGATE SCOURT-May 23. - Before EDWARD C. WEST,

SURROGATE'S COURT—May 23.—Before Enward Surrogate.

WILLS OFFERED FOR PROBATE.

John Knowles, citation returnable May 25.

Samuel E. Goeklin, cluation returnable May 27.

Anthony J. Allaire, citation returnable May 27.

Anthony J. Allaire, citation returnable May 27.

Anthony T. Jones, citation returnable May 31.

Morris Earle, citation returnable May 39.

John Pentz, citation returnable June 3.

Charles Davis, citation returnable June 30.

Francis P. Cunific, citation returnable June 30.

Edwin Smith, citation returnable June 30.

Edwin Smith, citation returnable June 30.

Edwin Smith, citation returnable June 30.

WILLS ADMITTED TO PROBATE.

Emity C. Stayvesant,
Xaver Klefer,
David L. Dedge,
Margaret McMaloo,
Margaret McMalo

David L. Dedge,
Margaret McMahou,
Caroline S. Saitte,
Margaret McMahou,
WILL OF DAVID BRUSH.

The testator was advanced in life, and during the latter part of
it was very feeble. At his death he left a widow with five calldrem. His will was dated in 1855, and by it the bulk of his properry was bequeathed to the widow, for life, and after her death it
was at a bo diebled squality executed, he cut off one of his sons
from all participation in the benefits of the estate. The executor, who is another son of the decased, has an annuity allowed
to him as compensation for taking care of the estate during the
firetime of the widow.

The will was contested on the ground of undue influence exerclaed over the testates by certain members of his family, upon
whom he was very much dependent during his long and testions
that he could be easily persuaded and influenced. A large
amount of testimony was taken, and the case was ably summed
up by the respective counsel. Geo. G. Bellows for executors, E.

W. Stoughton for contestants.

COURT OF GENERAL SESSIONS-May 2L-Before

The sentence on Gerson Cohen, the Jewish peddler, convicted of grand larceny in stealing \$2,300 worth of jewelry, and abscending therewith to Europe, was still further postponed at the urgent solicitation of his counsel.

A large number of prisoners were arraigned for sentence, John H. Fester, who had plead guilty of grand larceny, was entenced to the Pentientiary for one year. Catharine Byer was sent there for six mounts, one plead guilty of attempt to coment there for six mounts, one plead guilty of attempt to com-

ing the settence.

Michael Foley and Michael Moore, who burgiariously entered a printing establishment, were arraigned for sentence, having please guilty of stealing books and sheets. Their sentence was also suspended, but will be sent to the State Prison, if they commit the offerace again.

Joseph M. Coun add a cart of the value of 429 for the sum of 12, and the cart did not belong to him, consequently he was charged with a theft. He pleaded guilty, but judgment was suspended.

entry with a theft. He pleaded gullty, but judgment was suspended.

Francis O'Brien was sent to the State Prison for two years for burglary in the third degree. He broke through a skylight and robbeds store.

John Sollivan was charged with an assault on a Policeman. He assaulted Policeman White with a store some time has Fall at Jones Wood, on the occasion of a German Pie Nie there. On account of the sort of weapanised—a stone—which was shown to the Court, the could not have been convicted of a felonious assault. Therefore a plea guilty of simple assault and battery was accepted. Mr. White, it is said, has been disabled by Sellivan for tife. He was sentenced aix months to the Penituniary and fixed \$250, to remain in prison after the six months term until the fine is paid.

Bernard Miller, a receiver of stolen goods, was sentenced to the Penituniary for six months, and fixed \$250.

John Taylor and John Van Cloef, two mulattoes, were sent to the Penituniary for six months, and fixed \$250.

John Taylor and John Van Cloef, two mulattoes, were sent to the Penituniary for six months, and fixed \$250.

John Taylor and John Van Cloef, two mulattoes, were sent to the Penituniary for six months, and fixed \$250.

John Taylor should be a statement of the imprisoned in the Tombs for four months. She stole a watch.

Mathew McAleer, who yesterday was convicted of burglary in the third degree, for breaking into a store in Sixth avenue, was sentenced to the State Prison for burglary.

Owen Klöney was sent for three mouths cach to the State Prison for burglary.

Owen Klöney was sent for three mouths to the State Prison for burglary.

On the shift of the 7th of May a row cocurred on board of the Prussian bark Amanda, Capt. Rame, lying at Pler No. 6 North

Owen Kidney was sent for three means to the Sant Finds to assault and battery.

On the night of the 7th of May a row occurred on board of the Prussian bark Amanda, Capt. Rome, lying at Pier No. 6 North River. Two sallors. Ad. Klumber and Friederich Goetch, whose thre to the cable, were to have been tried to day on a charge of aroon. Klumber died in the Tombs the preceding signal Goetch pleaded mility of aroon in the fourth degree. His pieza mountis.

The Court adjourned adjourned until the 26th of May, when certain capital cases will be taken up.

The Court all-porned adjourned until the 26th of May, whe's certain capital cases will be taken up.

COURT OF SPECIAL SESSIONS—May 21,—Before Jurices STERS, KELLY and Coxyolly.

John Bergen, assault and battery; fixed \$5. Mary Brennen, assault and battery; judgment suspended. Mary 7. Carnoll, assault and battery; Pentitentiary six months. George Cash, stealing a bracelet and brooch, City Prison 36 day. Augustos Chambers, stealing a silver spoon, &a.; judgment suspended. Patrick Flood, assault and battery; fixed \$5. Gotleb Gilbert, assault and battery; Pentitentiary one months. Henry Myers, assault and battery; Pentitentiary to months. Henry Myers, assault and battery; Pentitentiary to months. Market McCafin, stealing wet clothing, Pentitentiary the months. Jas. Miller, stealing a piece of oil cloth; Pentitentiary two months. Elizabeth Norman, stealing a dress; Pentitentiary two months. John Price, stealing paten-leather boots; Pentitentiary was months. Elizabeth Norman, stealing a dress; Pentitentiary two months. Pentitentiary two months. Market Esott, stealing roccers; City Price at and was supposed; Samuel Smith, assault and battery; judment suspended; Samuel Smith, assault and battery; Pentitentiary two months. Margaret Esott, stealing groccries; City Price at days; William Swift, stealing a bar of from; Pentitentiary two months. Margaret Esott, stealing strees correctata; Pentitentiary two months. Patrick Upton, stealing three correctata; Pentitentiary two months. Thammas Young, assault and battery; Pentitentiary two months. Thammas Young assault and battery; Pentitentiary two months. Hamilton Beaun, assault and battery; Pentitentiary two months. Hamilton Beaun, assault and battery; Pentitentiary two months. James Robinson, stealing copper coins; Pentitentiary two months. James Robinson, stealing ecopies; pentitentiary two months. James Robinson, stealing ecopies; pentitentiary two months. James Robinson, stealing copper coins; Pentitentiary two months. James Robinson, stealing ecopies; pentitentiary two mo

COURT OF APPEALS.

COURT OF APPEALS.

Bowen agt. The New York central Railroad Company.

When the presumption of negligence has been established against a carrier of passengers, in an action for damagos resulting form at accident, it can only be relusted by proving but the socident resulted from circumstances against which human prodence and foresight could not guard.

The rule is to be understood as requiring, not such particular procautions is it is apparent, after the socident, might have prevented the injury, but such as would be distated by the utimost care and prodence of a very caucitous person before the accident and without knowledge that it was about to occur.

Buck agt. Buck.

The defendant, a shopkeeper in New-York City, agreed to pay a debt of \$2,000 in "merchandise out of my store, No. 44 Maiden lane, on demand; as in merchandise to be sold and delivered at not above 25 per cent of the cost price."

Held, 1. That his obligation was discharged by deligating pooks.